

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Baltimore Division)

In re:

ESCO, Ltd.,¹

Debtor.

Chapter 11

Case No. 23-12237 (DER)

REQUEST FOR EMERGENCY HEARING

ESCO, Ltd., debtor and debtor-in-possession (the “**Debtor**”) in the above-captioned case, requests that the Court conduct an emergency hearing on certain first day pleadings, as set forth below, and in support of this Request, the Debtor states as follows:

1. On March 31, 2023, the Debtor filed a voluntary petition (the “**Petition**”) for relief under chapter 11 of the United States Code (the “**Bankruptcy Code**”). The Debtor has remained in possession of its property and continues to manage its financial affairs as a debtor in possession pursuant to Sections 1107 and 1108 of the Bankruptcy Code.

2. In conjunction with the filing of the Petition, the Debtor has filed various motions and applications. Of those motions and applications, the Debtor requests an emergency hearing on the following:

- a. Notice of Application of Complex Chapter 11 Case Procedures;
- b. Debtor’s Motion Pursuant to Bankruptcy Rules 1007(A)(5) and 1007(C) for an Extension of Time to File Schedules of Assets and Liabilities, Schedules of Executory Contracts and Unexpired Leases, and Statement of Financial Affairs;
- c. Debtor’s Motion for Entry of an Order (I) Approving Continued Use of Cash Management System; (II) Authorizing the Debtor to Open and Close Bank Accounts; and (III) Authorizing Banks to Honor Certain Payments;

¹ The Debtor in this Chapter 11 case and the last four digits of its federal tax identification are ESCO, Ltd., DBA Shoe City (5654). The Debtor’s principal address is 1800 Woodlawn Drive, Gwynn Oak, Maryland 21207-4007.

- d. Debtor's Motion for Entry of an Order (I) Authorizing the Debtor to Pay Prepetition Wages and Compensation, (II) Authorizing the Continuation of Employee Benefit Programs, (III) Authorizing Banks to Honor and Process Checks and Transfers Related to Such Employee Obligations, and (IV) Granting Related Relief;
- e. Debtor's Motion for Entry of Interim and Final Orders (I) Approving the Debtor's Proposed Form of Adequate Assurance of Payment, (II) Establishing Procedures for Resolving Objections by Utility Companies, and (III) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Service;
- f. Debtor's Motion for an Order Authorizing Payment of Prepetition Taxes and Fees;
- g. Debtor's Motion for Entry of Interim and Final Orders (I) Authorizing Continuation of, and Payment of Prepetition Obligations Incurred in the Ordinary Course of Business in Connection with Various Insurance Policies, (II) Authorizing Banks to Honor and Process Checks and Electronic Transfer Requests Related Thereto, (III) Preventing Insurance Companies from Giving Any Notice of Termination or Otherwise Modifying Any Insurance Policy Without Obtaining Relief From the Automatic Stay, and (IV) Authorizing the Debtor to Continue to Honor Brokerage Obligations;
- h. Debtor's Application for Appointment of Stretto, Inc. as Claims and Noticing Agent *Nunc Pro Tunc* to the Petition Date;
- i. Debtor's Motion for Entry of an Order Authorizing Maintenance, Administration, and Limited Continuation of Certain Customer Programs;
- j. Debtor's Motion for Entry of an Order Establishing Procedures for the Rejection of Executory Contracts and Unexpired Leases;
- k. Debtor's Motion for Entry of Interim and Final Orders (I) Authorizing the Debtor to Assume the Consulting Agreements; (II) Approving Procedures for Store Closing Sales; (III) Approving the Sale of Store Closure Assets Free and Clear of All Liens, Claims and Encumbrances; (IV) Waiving Compliance with Applicable State Laws and Approving Dispute Resolution Procedures; and (V) Granting Related Relief;
- l. Debtor's Motion for Entry of an Order Approving Store Level Employee Bonus Plan; and
- m. Debtor's Motion for Entry of Interim and Final Orders (1) Authorizing the Debtor to Obtain Post-Petition Financing, Granting Senior Post-Petition Security Interests and According Superpriority Administrative Expense Status Pursuant to Sections 364(c) and 364(d) of the Bankruptcy Code, (2)

Authorizing the Use of Cash Collateral, (3) Granting Adequate Protection, (4) Modifying the Automatic Stay, and (5) Granting Related Relief.

WHEREFORE, the Debtor respectfully requests that the Court schedule an emergency hearing on the aforementioned motions and applications on Wednesday, April 5, 2023, or a date convenient to the Court.

Dated: April 3, 2023

POLSINELLI PC

/s D. Jack Blum

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